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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-third year

Letter dated 24 June 1998 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter dated 23 June 1998 from Mr. Fares Bouez, Minister for Foreign Affairs of Lebanon, on the subject of Lebanese detainees held in Israeli detention camps.

I have the honour to request that the present letter and its annex be circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

ANNEX

Letter dated 23 June 1998 from the Minister for Foreign Affairs of Lebanon addressed to the Secretary-General

[Original: Arabic]

I am again writing to you on the subject of the approximately 213 Lebanese detainees in Israeli prisons and in the detention centres that Israel maintains in the areas it has been occupying for the 20 years or more since it first invaded Lebanon in the spring of 1978 and failed to withdraw in conformity with Security Council resolution 425 (1978), which requires Israel to withdraw forthwith and unconditionally from Lebanese territory.

The situation of these detainees is a matter of concern to the Government and people of Lebanon. The Lebanese are increasingly angered by the continuing and open violation of human rights by Israel that such detention represents. From the time of their arrest, no charges are made against the detainees, and during their captivity they are subjected to long years of inhumane treatment and to all forms of torture at the hands of the Israeli occupation forces and their client militia. This is incompatible with the fourth Geneva Convention of 1949, to which Israel is a party, and the Convention and its Optional Protocol I require that civilians under foreign occupation be protected from any torture or arbitrary detention. Furthermore, Israel has detained dozens more in recent months. On 10 September 1997 it suspended the periodic visits by delegates of the International Committee of the Red Cross to prisoners in the Khiyam detention centre, and it has prevented their relatives from visiting them and from sending them letters, clothing and medicines. There are at Khiyam many sick persons, young women and elderly persons as well as at least 11 children and minors under 17 years of age who are, in their turn, being subjected to torture and starvation. This violates article 37 of the Convention on the Rights of the Child as adopted by the United Nations General Assembly on 20 November 1989. It is remarkable that at a time when Israel has been disseminating misinformation concerning its alleged intention to withdraw from southern Lebanon, the Israeli occupation forces and their client militia have stepped up their abductions of Lebanese civilians to be thrown into the Khiyam detention centre without legal justification. In this context, reference should be made to the fact that, according to information provided to us by international humanitarian organizations, on 29 May 1998 the militia subordinate to the Israeli occupation forces proceeded to abduct 60 Lebanese citizens.

Nothing is more expressive of Israel's contempt for international law than the decision of the Israeli High Court of Justice, announced on 4 March 1998, that Lebanese detainees could continue to be held without trial as hostages and as a bargaining chip despite the fact that they had been in detention for years. This decision, which has the aim of giving a stamp of legality to Israeli excesses, is a flagrant violation of the Universal Declaration of Human Rights and of all humanitarian principles.

On the occasion of the commemoration of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights and as Lebanon marks

Lebanese Prisoner Day, I urge you and, through you, I urge the relevant bodies of the United Nations system and the international community to make the utmost effort to bring an end to the plight of these detainees and to the suffering of their kith and kin. The Khiyam detention centre is one more disgraceful blot on the record of the Israeli occupation in southern Lebanon, a record already replete with practices that are incompatible with the relevant international covenants. It must be closed down, and the detainees must at long last be allowed to return to their homes and families.

Our quest for the release of Lebanese detainees from Israeli prisons is today all the more pressing in view of the testimony of those who have been released that they were subjected to the most heinous forms of savage and barbaric torture practised on detainees in Khiyam prison. This has been confirmed by medical reports and by medical examinations of some of them, and a number of them have died in hospital shortly after being released. This is corroborated by international humanitarian organizations.

Israel's claim that it is the "South Lebanon Army" that is in charge of the Khiyam detention centre in no way exonerates Israel from responsibility. This "Army" is no more than a tool in Israel's hands and can only survive with Israel's support. It is Israel that is the actual occupation force, and it is Israel that is ultimately responsible for compliance with the international covenants that protect those who must endure occupation. The claim that it makes is therefore no more than a flimsy excuse and is refuted by all the facts.

In the light of the foregoing, we are addressing ourselves to you, Mr. Secretary-General, in order to seek your assistance in bringing an end to a tragedy whose far-reaching dimensions you learned yourself from the mothers of detainees during your recent visit to Lebanon. We are confident that you will spare no effort and leave no stone unturned in endeavouring to assist the Lebanese detainees by whatever means you deem appropriate and effective.

(Signed) Fares BOUEZ
Minister for Foreign Affairs
of the Lebanese Republic